

AFFIDAVIT OF PAUL HOLLEY

**STATE OF MISSISSIPPI
COUNTY OF RANKIN**

NOW COMES Paul Holley, Affiant, and first being duly sworn does hereby state upon first hand personal knowledge and under oath, as follows:

1. My name is Paul Holley and I am an adult resident citizen of Rankin County, Mississippi. I have personal, first-hand knowledge of the facts set forth in this affidavit. I am under no mental disability and am competent to make this affidavit.

2. As the in-house legal counsel for the Rankin County Sheriff's Department and an Appeals Hearing Officer for inmate appeals made under the Rankin County Jail grievance procedure, I am familiar with the inmate grievance procedures at Rankin County Jail. The inmate grievance policy and procedure established by the Rankin County Sheriff's Department is set forth in policy number 12.3, a true and correct copy of which is attached hereto as **Exhibit A**.

3. Inmates are initially informed about the Rankin County Jail inmate grievance procedure during an inmate orientation, which is conducted when an inmate is booked into the Rankin County Jail. In the case of Carvis Johnson, his inmate orientation was conducted on February 26, 2019. Carvis Johnson acknowledged his understanding of the Rankin County Jail inmate grievance procedure by execution of the Inmate Orientation form attached as **Exhibit B**.

4. In 2019-2020, each housing unit in the Rankin County Jail had television sets that played different slides continuously throughout the day. These slides are designed to provide inmates with information and reminders on various issues, including the inmate grievance procedure. A true and correct copy of the slide relating to inmate grievances is

attached to this affidavit as **Exhibit C**. This slide not only informs inmates how to obtain inmate grievance forms, but also instructs inmates where to deposit inmate grievances and when inmate grievances can be placed into a secure mailbox.

5. Inmates in the Rankin County Jail must submit a written request for an *Inmate Grievance Form* prior to receiving same. After an inmate makes this written request, the inmate will then receive an *Inmate Grievance Form* to be completed by the inmate. A form copy of the *Inmate Grievance Form* is attached as **Exhibit D**. The top and bottom of the grievance form is to be completed by the inmate and then submitted to the Rankin County Jail by placing the completed *Inmate Grievance Form* into a secure, grey mailbox at 8:30 PM. Mailboxes for written requests for *Inmate Grievance Form* and for submission of completed *Inmate Grievance Form* are inside each zone of the Rankin County Jail. The Rankin County Jail will assign a specific grievance case number to each grievance received by an inmate.

6. Carvis Johnson never submitted a written request for an *Inmate Grievance Form* during his incarceration in the Rankin County Jail. Accordingly, he never initiated the inmate grievance procedure at the Rankin County Jail during his incarceration.

FURTHER, Affiant sayeth naught.



PAUL HOLLEY

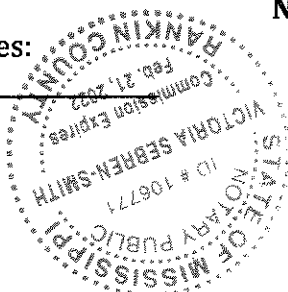
SWORN TO AND SUBSCRIBED BEFORE ME, this 29th day of October, 2020.



NOTARY PUBLIC

My Commission Expires:

Feb 21, 2022



Rankin County Adult Detention Center Policies and Procedures

Subject: Inmate Grievance Procedures	Policy Number: 12.3
Issue Date: June, 2009	Revision Date:
Approval Authority: Bryan Bailey, Sheriff	

POLICY:

It is the policy of the Rankin County ADC to provide a procedure for inmates to resolve disputes, complaints or issues concerning the conditions of their incarceration.

PENOLOGICAL INTEREST:

It is in the penological interest of this detention facility to foster high inmate morale to the extent possible and to provide grievance procedures as a means of communicating and resolving disputes, complaints or issues concerning the inmate's incarceration within this facility.

PROCEDURES:

Grievance Procedure

The grievance procedure established by the Rankin County ADC must be utilized before appeal unless otherwise specified in this policy. Matters pertaining to the inmate's sentence are NOT covered by this grievance policy and must be addressed with the inmate's counsel, the appropriate court, and/or the MS Dept. of Corrections, whichever is/are applicable.

Filing the Grievance:

The procedure for filing a grievance is as follows:

1. The inmate must request an *Inmate Grievance Form* by writing a letter requesting such and submitting it to the Jail Administrator via any Detention Officer. The Jail Administrator will ensure that the inmate receives the form.
2. The inmate must complete the top portion of the form providing the information required.
3. The inmate must complete the bottom portion of the form and provide the following details:
 - a. Date of the incident;
 - b. Names of all parties involved;
 - c. A complete and accurate account of what happened; and

RESTRICTED LAW ENFORCEMENT DATA

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Policies and Procedures, 12.3 Inmate Grievances Procedures
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- d. What action is being requested to resolve the grievance.
4. The Jail Administrator will enter the required information on the lower portion of the form and provide the inmate with a copy of the completed form. If the inmate does not receive a copy of the completed form within two (2) days (excluding weekends and holidays), he/she should request to see the Jail Administrator to determine the status of the grievance.

Processing the Grievance Form:

The procedure for processing the completed *Inmate Grievance Form* is as follows:

1. The Jail Administrator will review the grievance to determine its merits and formulate any remedy deemed appropriate.
2. The inmate will receive a *Grievance Hearing Report Form* from the Jail Administrator within three (3) days (excluding weekends and holidays) stating what, if any, action(s) will be taken regarding the matter.

Appeals Procedure

If the inmate is dissatisfied with the decision of the Jail Administrator, the decision may be appealed to an Appeals Hearing Officer.

1. The appeal must be submitted in writing to the Jail Administrator within three (3) days of receipt of the Jail Administrator's initial decision.
2. The appeal must include the basis for the appeal.
3. An appeal hearing will be scheduled as soon as possible with an attorney serving as the Appeal Hearing Officer.
4. The inmate will be allowed to present his/her grievance to the Appeal Hearing Officer. The Jail Administrator or his designee will then present his/her findings and the basis for the initial decision made on the inmate's grievance.
5. After hearing all relevant evidence from both parties, the Appeal Hearing Officer may render an oral decision (followed up in writing) or elect to render his/her decision only in writing. This decision will be rendered at the Appeal Hearing Officer's earliest convenience and a copy of such provided to both the Jail Administrator and the inmate.
6. After hearing all the evidence, the Appeals Hearing Officer may affirm or reverse the initial decision outright or return the initial decision back to the Jail Administrator for further proceedings.
7. A copy of the decision will be placed in the inmate's file.

Should the inmate disagree with the decision of the Appeal Hearing Officer, he/she may effect a final appeal directly to the Sheriff.

1. The appeal must be submitted in writing to the Sheriff within three (3) days of receipt of the Appeal Hearing Officer's decision.

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2. The appeal to the Sheriff will be considered an “appeal on the record.” The inmate will not have a right to submit additional material/matters not addressed in the initial appeal hearing nor will he/she be allowed to present oral testimony unless approved by the Sheriff.
3. The decision of the Sheriff is final.
4. The Sheriff may elect to issue an oral decision. A statement outlining the Sheriff’s decision will be placed in the inmate’s file.

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RULES PG2...T4ST

Rankin County Jail Rules and Restrictions

7. No channels are to display any music stations, whatsoever: MTV, CMT, VH1, BET, etc., supervisor discretion.

Actions Resulting in Felony Chargesinitial by inmate

XCJ

1. Assaulting any member of the jail staff.
2. Escape or attempted escape.
3. Rioting or encouraging others to riot, or engaging in a demonstration or conduct involving two or more inmates that disrupts or interferes with the security or orderly running of the jail.

Actions Resulting in Possible Criminal Chargesinitial by inmate

XCJ

1. Assaulting fellow inmates is prohibited.
2. Tampering with locks or doors.
3. Attempting to commit or aiding another to commit any offense in MS Criminal Code 1972
4. Destruction of any county property: jail uniforms, towels, cell walls, floors, lights, doors, issued razors, or other maintained items.
5. Possession or attempted possession of any contraband (whether dangerous or nuisance) is prohibited.

Any violation of any order not listed, see Jail AdministratorRegulationsinitial by inmate

XCJ

1. All trash bags are to stay in trash can at all times, no sitting on trash can.
2. You are only allowed to have one Styrofoam cup in your possession.
3. Your hands are to be placed behind your back when in the presence of an officer.
4. You are to give respect to jail staff at all time.
5. You are not to have any unauthorized contact with free world citizens.
6. You will have your armband in your possession at all times.
7. You will not damage or deface any property given to you to use or anything while at the Rankin County Jail.
8. Phone and TV use is a Privilege and is not a Guarantee.

At the completion of this segment as a Rankin County Jail Inmate; you will know and understand the daily operations of our county jail and your role as an inmate. You will be expected at the end of this session to adhere to our facility policies and rules while in the Sheriff's Custody. Also while in orientation you can ask questions if you do not understand a procedure or other matters. I have been in the Rankin County Jail Orientation Program and understand what is expected of me and agree to cooperate with the Jail Procedures.

XCJ
Inmate Printed Name

Jones JS
Officer Name & Badge

XCJ
Inmate Signature

2/26/19
Date

Inmate Grievance

- Inmate grievances will be given by the tower Officer on duty
- The grievance must be placed in the letter box at 2030 hours
- The grievances will be read by the jail administrator and a hearing will be scheduled

Exhibit C

